

**ENVIRONMENT, LAND ACQUISITION AND PLANNING COMMITTEE  
of the  
Suffolk County Legislature**

**Minutes**

A regular meeting of the Environment, Land Acquisition and Planning Committee was held in the Rose Y. Caracappa Auditorium at the William Rogers Legislature Building, Veterans Memorial Highway, Hauppauge, New York on **May 14, 2002** at 2:30 P.M.

**MEMBERS PRESENT:**

Legislator David Bishop, Chairman  
Legislator Andrew Crecca  
Legislator Ginny Fields  
Legislator Jon Cooper

**EXCUSED ABSENCE:**

Legislator Michael Caracciolo, Vice Chair

**ALSO IN ATTENDANCE:**

Paul Sabatino, Legislative Counsel  
Nicole DeAngelo, County Executive's Office, I.R.  
Jim Burke, Director of Real Estate  
Tom Isles, Commissioner, Department of Planning  
Lauretta Fisher, Suffolk County Planning Department  
Peter Scully, Commission, Department of Parks  
Terri Elkowitz, Chair CEQ  
Nancy Manfredonia, County Executive's Office  
Denise C. Speizio, Suffolk County Department of Parks  
Stuart Lowrie, The Nature Conservancy  
Jim Bagg, Suffolk County Planning Department, CEQ  
Barbara LoMoriello, Aide to Legislator Jon Cooper  
Kevin Duffy, Budget Review Office  
Edward Davida, Civil Engineer, Department of Public Works  
Vito Minei, Director Environmental Quality, S.C.H.S.,  
Joe Gergela, Long Island Farm Bureau  
Christine Costigan, Department of Real Estate  
Jim Dobkowski, Press Secretary, Presiding Officer Paul Tonna's Office  
Richard Amper, Long Island Pine Barrens  
All Interested Parties

**Minutes taken and transcribed by Irene Kulesa, Legislative Secretary**

***(The meeting came to order at 2:55 P.M.)***

**CHAIRMAN BISHOP**

We'll start with the Pledge of Allegiance.

## SALUTATION

**CHAIRMAN BISHOP:**

Good afternoon, this is the May 14th, meeting of the Environment, Land Acquisition & Planning Committee. Usually I commence committee meetings with an informed consent warning that this committee generally runs late, well past 5 o'clock. I, however, have to leave at 5 o'clock. So I'm going to do everything in my power to ensure that this committee ends at 5 o'clock. But I've tried that in the past and have failed miserably. But we'll give it a shot. We don't have as many controversial issues as we so often do today. So perhaps we can get through this.

Is anybody here for an appointment or a reappointment? Are you all the same body? No? We have two separate bodies, right, three, Soil Water, CEQ okay. Soil Water is an individual, so I'll take the individual first. And we'll do CEQ too, second. Right gentlemen before ladies. Farmers before up-islanders.

**MR. GERGELA:**

Good afternoon, my name is Joe Gergela. I have served on the Soil and Water Board for quite some time in addition to the Suffolk County Soil and Water Board; I also served as President of the New York State Association of Conservation Districts. And I'm on the National Association Board of Directors. So we've made, I think, some impact from Suffolk County at the State and National level. I'm here to go before you and ask for reappointment to the board.

**CHAIRMAN BISHOP:**

All right. When are you farmers going to stop eroding the soil? I'm kidding. I'm teasing you. Any questions? No questions?

**LEGISLATOR FIELDS:**

I have a comment.

**CHAIRMAN BISHOP:**

Yes.

**LEGISLATOR FIELDS:**

I don't think your mikes on, Tom.

**LEGISLATOR CRECCA:**

I know. I think they planned it that way. So no, I just clicked it on now. There's been no problem with attendance of the meetings and there won't be scheduling problems as far as the attendance in the future?

**MR. GERGELA:**

No.

**LEGISLATOR CRECCA:**

Okay. That's all.

**CHAIRMAN BISHOP:**

Okay, yes you want to comment on the motion?

**LEGISLATOR FIELDS:**

I also --

**CHAIRMAN BISHOP:**

Motion to take it out of order by Legislator Fields, second by myself. It's 1409 on our scorecard.

**LEGISLATOR FIELDS:**

I served with Joe on Soil and Water and he has been a tremendous asset on that board. And in addition a great advocate for farmers and farmland protection and lends a tremendous amount of expertise and knowledge to the group. So I certainly would like to see this reappointment.

**CHAIRMAN BISHOP:**

Okay. Motion is now before us. Motion by Legislator Fields, second by Legislator Crecca. All in favor? Opposed? You're approved.

**MR. GERGELA:**

Thank you.

**CHAIRMAN BISHOP:**

Thank you.

**I.R. NO. 1409 Reappointing Joseph Gergela as a member of the Suffolk County Soil and Water Conservation District. (*Legislator Ginny Fields*)**

**VOTE: 3-0-0-2**

**CHAIRMAN BISHOP:**

I'm sorry, please note Legislator Caracciolo has an excused absence for today. And Legislator Cooper is in transit. CEQ folks please? Now today, in addition to two reappointments, we are also going to have a presentation on the function of CEQ and the SEQRA process. Yes? All right. Good afternoon, yes?

**MS. ELKOWITZ:**

Good afternoon Legislator Bishop. My name is Terri Elkowitz. I'm the Chairperson of the Suffolk County Council on Environmental Quality. I've been the Chair for about a decade. I've been on the CEQ for approximately twelve years. And as you know, we serve in an advisory capacity to the Legislature. And I'm here for you to ask me whatever questions you like and to consider my reappointment. To my left is Nancy Manfredonia, who has been a member for longer than I have, quite frankly.

**MS. MANFREDONIA:**

Yes, I've been on the CEQ for over 15 years. I am also involved with other environmental groups, the President of the Greenbelt Trail Conference and I'm on the Islip Town Environmental Council. I'm here to answer any questions.

**CHAIRMAN BISHOP:**

Both these nominees have extraordinary attendance records, which we've looked into. We appreciate that. We appreciate how seriously you take your roles and your appointments. Let's take these out of order. Motion to take 1414, Nancy Manfredonia out of order.

**LEGISLATOR CRECCA:**

May I make that motion?

**CHAIRMAN BISHOP:**

Motion by Legislator Crecca, second by myself. All in favor? Opposed? 1414 is now before us. We have a motion to approve by Legislator Crecca, second by Legislator Fields. All in favor? Opposed? 1414 is approved.

**I.R. NO. 1414 Re-appointing member of the Council on Environmental Quality. (Nancy Manfredonia) (*Legislator Ginny Fields*)**

**VOTE: 3-0-0-2 APPROVED**

**CHAIRMAN BISHOP:**

1415 motion to take it out of order by myself, second by Legislator Fields. The resolution is now before us. Motion to approve by Legislator Fields, second by Legislator Crecca. All in favor? Opposed? 1415 Theresa Elkowitz is approved. Thank you both.

**I.R. NO. 1415 Reappointing member of the Council on Environmental Quality. (Theresa Elkowitz) (*Legislator Ginny Fields*)**

**VOTE: 3-0-0-2 APPROVED**

**CHAIRMAN BISHOP:**

Are you staying to present?

**MS. ELKOWITZ:**

I am staying to present and I have Jim Bagg with me.

**CHAIRMAN BISHOP:**

Right.

**MS. ELKOWITZ:**

From the CEQ staff. If you'd like me --

**CHAIRMAN BISHOP:**

Yes, I think now is the appropriate time.

**MS. ELKOWITZ:**

Fine.

**LEGISLATOR CRECCA:**

Thank you Nancy.

**CHAIRMAN BISHOP:**

Well, if we hear something in the presentation we don't like, we can quickly call these resolutions --

**MS. ELKOWITZ:**

You can rescind it.

**LEGISLATOR CRECCA:**

You may want to run then, Nancy.

**CHAIRMAN BISHOP:**

Thank you.

**MS. ELKOWITZ:**

Jim is handing out to you just a couple of handouts that I will refer to during my brief presentation to ensure that Legislator Bishop and I both get out of here by 5 o'clock. As you know, my name is Terri Elkowitz. I'm the Chair of the CEQ and I was asked to come here today to briefly go over the CEQ's function and the basic tenets of the State Environmental Quality Review Act and its implementing regulations, which guide us all.

We are advisory to you and to the County Executive. We also provide, through our staff, technical advice to various departments for compliance with the regulations of SEQRA. And our recommendations are clearly dictated by the SEQRA regulations. And those of you who come to my meetings and certainly Legislator Fields comes all the time, knows that it is very important to me that CEQ members not substitute their interpretation of regulations for their own agendas or their own policy. We try to stick to the regulations.

In your handout, there is a SEQRA timeline that I have put together, which gives you the basic steps in a State Environmental Quality Review Process pursuant to the regulations. I'm not going to go down all of those steps because we'll be here all day. But I'm just going to give you a brief summary, so that if you ladies and gentlemen have particular questions about how CEQ implements things and why we come to the recommendations we do. I'm here to answer those questions.

When you send us over legislation or when a department comes with an action, the first thing that we do is we look at the regulations and we classify that action. And you have in your packet excepts and the regulations that are Type II actions, Type I actions and then there's a category of unlisted actions. If you look at the Type II actions, many departments come to us with Type II actions. By definition, Type II actions are exempt from SEQRA review. You classify them and that's all that's required. Many of the ones that we refer to all the time, if you have the Type II action list, our

maintenance and repair of County facilities, re-paving of highways, replacement of equipment, construction of structures of less than four thousand square feet and also conducting various planning studies that could lead to recommendations for future projects. So when we look at those, it's very simple. You look at the regulations, they're Type II and that's why we make the recommendations we do to you.

Type I actions are those that, by definition in the regulations, are more likely than any other actions to have a significant adverse effect on the environment and possibly require the preparation of an environmental impact statement. You have the list in front of you; I'm not going to go through it. But those that are most common that come before us. If you look at item number six, our expansion of existing County Facilities by more than 50 percent of the thresholds that are set there. And very often, we'll get something that involves the physical alteration of more than five acres. It automatically makes it a Type I action. However, just because something is a Type I action, it doesn't automatically mean that you issue a positive declaration. You go through what are called the criteria for determining significance. Those are also in the packet. And you look down those items objectively to determine whether something is likely to adversely affect in a significant way, whether it be water resources, land, ecology, those kinds of things.

Most of the time the actions that come before us we will recommend a negative declaration to you. But by the time you see that project with a negative declaration, as Ms. Fields will probably tell you, we have worked with the department, possibly to modify their action. So that they can inherently mitigate in their project design. We do that with DPW quite often with their roadway projects.

Now it's very rare that we recommend to you a positive declaration but certainly, we've all been talking about the Vector Control Long-Range Management Plan and that's something that we all expect. We will be recommending to the Legislature a positive declaration and that will kick in a SEQRA process that the Legislature doesn't do very often. And that's the process that I have outlined for you on that timeline. If you want me to go through it, I'll be happy to. If you have particular questions, I'll answer them. It's up to you, Legislator Bishop and members of the committee. Do you want me to go through it? Yes, okay.

The first thing that we're going to do is it will likely be classified as a Type I action. You'll have to do a coordinated review. You'll have to contact every other agency that would give a permit and you will have to go through a formal lead agency designation process. Then I anticipate you'll issue a positive declaration requirement in the preparation of Environmental Impact Statement. We will suggest to you, based on the level of interest that we have had at CEQ and certainly, the Legislature has had that a formal scoping meeting be conducted, so the public has an opportunity to advise us all what they believe should be addressed in the EIS. Then I understand the County will retain a consultant to do the EIS. CEQ will review it, recommend it, revisions, recommend it for acceptance. We'll also recommend that a public



hearing be held on that EIF.

**LEGISLATOR CRECCA:**

I'm going to interrupt? We don't always do a full -- I mean, I know with something like the Vector Control Plan that's certainly something we would. But do we always do as part of the process, the public?

**MS. ELKOWITZ:**

Not always.

**LEGISLATOR CRECCA:**

Okay.

**MS. ELKOWITZ:**

Because the regulations, the State Regulations, scoping is optional and the hearing on the EIS is optional. But in something like this, which has --

**LEGISLATOR CRECCA:**

Explain scoping? And I apologize for my ignorance.

**MS. ELKOWITZ:**

No problem.

**LEGISLATOR CRECCA:**

That's why you're here.

**MS. ELKOWITZ:**

Scoping is a process after you've issued a positive -- after you've issued a positive declaration saying that an Environmental Impact Statement must be prepared. If you elect to do scoping, it must be public. And what happens is either the Health Department or DPW, whatever the initiating agency is, we'll have a draft scope prepared, which is basically their outline of what they intend to put in the EIS. That gets sent out to the public. And then you hold a scoping meeting, so the public has the opportunity to come in and say, you really should be evaluating this in EIS. I want you to evaluate this in a specific way. And then the lead agency, which would be the Legislature, is required to promulgate a final scope, which is the Legislature's outline by which that DEIS must be prepared within 60 days of receipt of the draft scope, okay! So that's what scoping is.

So you go through the process. You prepare the EIS. It ultimately gets accepted. We have a hearing on it, as I would recommend. Then a final Environmental Impact Statement must be prepared addressing the comments that the Legislature gets on the EIS. And then ultimately, you would promulgate a finding statement, which would set forth how the County will proceed with its Vector, Long Term Vector Control Program. That's basically years and years of experience in a five-minute presentation.

**LEGISLATOR CRECCA:**

And would that come before us every year then?

**MS. ELKOWITZ:**

The Vector Control Program? Well --

**LEGISLATOR CRECCA:**

I know the program comes before us every year. But would there have to be an EIS every year then?

**MS. ELKOWITZ:**

It depends on how the entire process is structured. But I -- you know, if the Environmental Impact Statement is structured and the findings are structured, such that the Legislature sets thresholds, by which the program would be implemented? Then, I don't believe it would be necessary every year to do an EIS, no.

**LEGISLATOR CRECCA:**

Thank you. Take it away David.

**CHAIRMAN BISHOP:**

I have questions.

**MS. ELKOWITZ:**

Sure.

**CHAIRMAN BISHOP:**

Oh, he has a presentation as well? Mr. Bagg?

**LEGISLATOR CRECCA:**

I'm just giving John --

**CHAIRMAN BISHOP:**

Oh I see. My question is, recently I've been voting against some of the CEQ recommendations on instinct. I'll give you an example. I think the other week we had one, which was a footbridge across a pond and a County Park and it was Blydenburgh. It was negative declaration.

**MS. ELKOWITZ:**

Um-um.

**CHAIRMAN BISHOP:**

And I said to myself that my reasoning process was that the installation of a footbridge across environmentally sensitive land is the very type of project that intuitively, I would think would require further study to see what the environmental impact is on it.

**MS. ELKOWITZ:**

Well, I agree with you that it required further study and the CEQ asked many questions. And I wish Nancy were here because she asked a lot of questions about it.



**CHAIRMAN BISHOP:**

No, I'm not suggesting that the CEQ is not diligent. What I -- what I'm picking up from your presentation is that we don't see the diligence at this point.

**MS. ELKOWITZ:**

Right.

**CHAIRMAN BISHOP:**

So we don't know what's been modified. What issues have been brought up?

**MS. ELKOWITZ:**

I think that --

**CHAIRMAN BISHOP:**

Reverse that. What issues have been brought up and what has been modified as a result of that? I think that that's something that should be addressed and personally, I would think it would help us in making determinations at this level.

**MS. ELKOWITZ:**

Well, certainly Legislator Bishop --

**CHAIRMAN BISHOP:**

In view of what happened at the previous level.

**MS. ELKOWITZ:**

If you had particular questions, where you wanted me to come to speak to an issue? I'd be happy to come. My office is three seconds away. But I think part of the reason that Legislator Fields put forth that resolution to require verbatim minutes was to address some of those issues. Because quite frankly, we don't get that level of minutes and it's very --

**CHAIRMAN BISHOP:**

I was going to say verbatim minutes or single paragraph memorandums as to, you know it's the history?

**MS. ELKOWITZ:**

We'd be happy to do that.

**CHAIRMAN BISHOP:**

I think that would be an improvement.

**MS. ELKOWITZ:**

We'd be very happy to do that Legislator Bishop.

**CHAIRMAN BISHOP:**

Okay.

**LEGISLATOR FIELDS:**

I'm asking you Legislator Bishop, on that footbridge that you were talking about? I think, was it not your explanation that you felt that putting a footbridge over environmentally sensitive land would adversely affect the land? And I think the purpose of putting the footbridge on was because people were --

**CHAIRMAN BISHOP:**

No that's not correct. It was as I stated it. My instinct -- my understanding of CEQ and SEQRA is that when the government takes an action that is potentially harmful to the environment, it requires a higher level of scrutiny and study. And so when something comes over in a negative declaration, to me that says no more study and it's not necessary. But what I'm learning is that there is a lot of give and take in the process and study and modifications. It's just that we don't know about it at this level and I don't think that --

**MS. ELKOWITZ:**

And I think Legislator Fields has witnessed that we have some very healthy debates at CEQ.

**CHAIRMAN BISHOP:**

Yes. Mr. Bagg?

**MR. BAGG:**

If I might add too? When a project comes into the Council, all right! Depending upon whether it's of local concern or Countywide! We send that project out to not only the Legislature but we send it out to the Supervisor of the Town, the Environmental Department, the Conservation Advisory Council and any local interest group that has advised us they have an interest to come in and participate in the CEQ's discussion and meeting. With respect to Vector Control, the original EAF, we send out over 110 EAF's.

**CHAIRMAN BISHOP:**

Okay. Yes, Legislator Fields?

**LEGISLATOR FIELDS:**

In addition, there was a plan to do some roadwork in Patchogue at the last meeting. And although it looked like it was, you know, a great plan and they had instituted some mitigation efforts to take care of runoff, it was the desire of the committee to send it back and ask them to do even more before they had approval for that plan. So there are, as I said and as Terri said some very healthy debate where people are not afraid to ask questions. And it's a good committee to watch and see how it is looking at some of the projects that we're looking to do.

**CHAIRMAN BISHOP:**

Thank you. You know between your defense of the Parks Trustees and CEQ, you're becoming the great defender of the Advisory Committee of the County Government. Well, I guess they're more than advisory.

**LEGISLATOR FIELDS:**

Let's see if you say that throughout the whole meeting.

**CHAIRMAN BISHOP:**

All right. Thank you very much.

**MS. ELKOWITZ:**

Thank you.

**CHAIRMAN BISHOP:**

Jim while you're here, you want -- should we do the --

**MR. BAGG:**

Yes.

**CHAIRMAN BISHOP:**

Yes? CEQ Resolutions page 2.

**MR. BAGG:**

The first resolution of CEQ, all right, is recommendations for Type II actions regarding the packet laid on the table April 16th, 2002. It's fairly much pro-forma.

**CHAIRMAN BISHOP:**

Okay. A motion to approve by myself, second by Legislator Fields. All in favor? Opposed?

**CEQ RESOLUTIONS:**

**NO. 17-02 Proposed SEQRA Classifications of Legislative Resolutions laid on the table on April 16, 2002.**

**VOTE: 4-0-0-1 APPROVED**

**MR. BAGG:**

The next resolution deals with the proposed replacement of grilles in inmate housing areas. The project involves replacement of their handling grilles in each inmate housing area pursuant with tamper proof security grilles as a suicide preventative measure. Council recommends it's a Type II action.

**CHAIRMAN BISHOP:**

Motion by Legislator Cooper, second by Legislator Crecca. All in favor? Opposed?

**NO. 18-02 Proposed replacement of Grilles in Inmate Housing Areas at Suffolk County Maximum Security Correctional Facility. (Type II Action)**

**VOTE: 4-0-0-1 APPROVED**

**MR. BAGG:**

The next proposal is replacement of the existing generator at the Francis Gabreski Airport. Council recommends it's a Type II action.

**CHAIRMAN BISHOP:**

This is an electric generator? With electricity?

**MR. BAGG:**

I believe yes.

**CHAIRMAN BISHOP:**

So this is a mammoth structure of some type?

**MR. BAGG:**

It's a generator, a diesel generator.

**CHAIRMAN BISHOP:**

Oh, it's like a backup thing?

**MR. BAGG:**

Yes, backup. It's a replacement.

**CHAIRMAN BISHOP:**

Everybody else seems to understand it. Motion by -- those of us who understand, Legislator Fields, second by Legislator Crecca. All in favor? Opposed.

**NO. 19-02 Proposed replacement of the existing generator at Gabreski Airport, Town of Southampton, CP 5702 (Type II Action)**

**VOTE: 4-0-0-1 APPROVED**

**MR. BAGG:**

The next one is the proposed planning and design for the re-development of Industrial Park at Gabreski Airport. Council feels that based on the information, it's a Type II action dealing with planning and design. It does not commit the County to any action.

**CHAIRMAN BISHOP:**

Motion by Legislator Crecca, second by Legislator Fields. All in favor? Opposed?

**NO. 20-02 Proposed planning and design of redevelopment of Industrial Park at Gabreski Airport, Town of Southampton. CP 5713**

**VOTE: 4-0-0-1 APPROVED**

**MR. BAGG:**

The next project is proposed improvements to the Police Headquarters at Yaphank. The project involves the replacement of the existing emergency generator and air conditioning in a second floor computer room. Council also recommends this is a Type II action, purchase of equipment.

**CHAIRMAN BISHOP:**

Motion by Legislator Crecca, second by Legislator Fields. All in favor?  
Opposed?

**NO. 21-02 Proposed improvements to Police Headquarters, Town of Brookhaven - CP 3122**

**VOTE: 4-0-0-1 APPROVED**

**MR. BAGG:**

The next is the proposed development of a plan to expand camping capacity at Sears Bellows County Park Planners, Town of Southampton. Council recommends that it is a Type II action because it involves information, collection including basic data collection and research.

**CHAIRMAN BISHOP:**

This is not expanding it? It's just --

**MR. BAGG:**

It's just to study it.

**CHAIRMAN BISHOP:**

It's a study expanding it. Based on that, motion to approve by Legislator Crecca, second by Legislator Fields. All in favor? Opposed?

**NO. 22-02 Proposed development of a plan to expand camping capacity at Sears Bellows County Park, Flanders, Town of Southampton.**

**VOTE: 4-0-0-1 APPROVED**

**MR. BAGG:**

The next action is for the proposed replacement of playground at Lakeland County Park in Bohemia, Town of Islip. The project involves replacement of the existing antiquated playground equipment at Lakeland County Park with equipment that complies with the American with Disabilities Act.

**CHAIRMAN BISHOP:**

Motion by Legislator Fields, second by Legislator Crecca. All in favor?  
Opposed?

**NO. 23-02 Proposed replacement of playground at Lakeland County Park, Bohemia, Town of Islip.**

**VOTE: 4-0-0-1 APPROVED**

**MR. BAGG:**

The next is the proposed planning and design of improvements to athletic fields at West Hills County Park, Town of Huntington. It's also a study to plan

--

**CHAIRMAN BISHOP:**

Motion by Legislator Cooper, second by Legislator Bishop. All in favor? Opposed? It's approved.

**NO. 24-02 Proposed planning and design of improvements to athletic fields at West Hills County Park, Town of Huntington.**

**VOTE: 4-0-0-1 APPROVED**

**MR. BAGG:**

The next is the proposed planning for improvements to Shinnecock Marina. It involves planning and design for the reconfiguration or expansion of docking to increase capacity extension of the utilities throughout the entire marina improvements, which include lighting, parking and landscaping. Council recommends its a Type II action because it's information, collection.

**CHAIRMAN BISHOP:**

Motion by Legislator Fields, second by Legislator Crecca. All in favor? Opposed?

**NO. 25-02 Proposed planning for improvements to Shinnecock Marina, Hampton Bays, Town of Southampton.**

**VOTE: 4-0-0-1 APPROVED**

**MR. BAGG:**

The next is the proposed perimeter survey and fencing of Francis Gabreski Airport. The project involves funding of a survey and replacement of fencing for Francis Gabreski Airport. The perimeter fencing to be installed. An eight-foot chain link with two foot of barbed wire as recommended by the FAA. It will replace the original four foot three strand barbed wire fence. Council recommends a Type II action.

**CHAIRMAN BISHOP:**

Sounds lovely. Motion by Legislator Cooper, second by Legislator Crecca. All in favor? Opposed?

**NO. 26-02 Proposed perimeter survey and fencing of Grabreski Airport, Town of Southampton, CP 5721**

**VOTE: 4-0-0-1 APPROVED**

**MR. BAGG:**



And the last action is proposed improvements to Suffolk County Sewer District Number 18. The project involves abandoning the two stage treatment plants in District Number 18 and constructing conveyance facilities to the Suffolk County Community College, Western Campus Sewer, leading to Pilgrim Psychiatric Center Pump Station and treatment ultimately at the Southwest Sewer District. Council recommends that it is an unlisted action. That will not have a significant effect on the environment for the following reasons: That none of that criteria in 61770 will be exceeded. The two sewage treatment plants being closed have had problems and do not need New York State DEC standards. The new nine thousand feet of piping will be installed within rights of way of existing roads. No vegetation or cover will be removed and Sewer District Number 3 has the capacity to handle the additional flow.

**CHAIRMAN BISHOP:**

Negative declaration is unlisted? They are synonymous?

**MR. BAGG:**

No, the first is a classification, the action. It's either a Type II, Type I or unlisted. If it's not on a list, it's called unlisted. The negative declaration is the suggested determination of the SEQRA saying it will not have a significant impact on the environment for those reasons as stated.

**CHAIRMAN BISHOP:**

So a finding -- what was it here? Unlisted or a negative declaration?

**MR. BAGG:**

Both. It's an unlisted action.

**CHAIRMAN BISHOP:**

That has been declared a negative declaration.

**MR. BAGG:**

A negative declaration has been determined on the action.

**CHAIRMAN BISHOP:**

Okay and we're shutting down a sewer plant?

**MR. BAGG:**

Two sewage plants that don't meet standards.

**CHAIRMAN BISHOP:**

And we're shipping all the waste to another sewer plant?

**MR. BAGG:**

Right.

**CHAIRMAN BISHOP:**

Through the construction, I assume of a --

**MR. BAGG:**

Nine thousand feet of additional piping in existing right of ways and roads.

**CHAIRMAN BISHOP:**

And this has been deemed as no new impact on the environment?

**MR. BAGG:**

Right.

**CHAIRMAN BISHOP:**

All right. Is there a motion?

**LEGISLATOR CRECCA:**

Motion by me.

**CHAIRMAN BISHOP:**

Motion by Legislator Crecca. Is there a second? Second by Legislator Fields. All in favor? Opposed? List me as opposed.

**NO. 27-02 Proposed improvements to Suffolk County Sewer District #18, Town of Smithtown.**

**VOTE: 3-1-0-1 APPROVED**

**LEGISLATOR CRECCA:**

I just want to -- I have a question on that. We're taking it out of Smithtown, our waste and we're pumping into, I guess the Town of Islip, is it?

**CHAIRMAN BISHOP:**

Babylon.

**LEGISLATOR CRECCA:**

Babylon, even better yet.

**CHAIRMAN BISHOP:**

Among other reasons. I just --

**LEGISLATOR CRECCA:**

We always do things right.

**CHAIRMAN BISHOP:**

I can't wait to read the minutes.

**LEGISLATOR CRECCA:**

Thank you Jim. Are we going back to the top of the agenda now?

**CHAIRMAN BISHOP:**

Yes, unless we have any other people who wish to be heard before the Environment Committee today. Wow.

**LEGISLATOR CRECCA:**

You've got that 5 o'clock rule Dave.

**CHAIRMAN BISHOP:**

Five o'clock, we're going to be out of here by 4 o'clock.

**LEGISLATOR CRECCA:**

Don't jinx us.

**CHAIRMAN BISHOP:**

Okay, to the top of the agenda. Introductory prime, 1536 accepting and appropriating additional 50 percent --

**LEGISLATOR CRECCA:**

Motion.

**CHAIRMAN BISHOP:**

I have to read it. Grant funds from the New York State Department of Environmental Conservation to the Department of Health Services, Division of Environmental Quality for the study of the Long Island Sound. Motion by Legislator Crecca, second by Legislator Cooper. All in favor? Opposed? 1536 is approved.

**INTRODUCTORY PRIME:**

**I.R. NO. 1536 Accepting and appropriating additional 50% grant funds from the New York State Department of Environmental Conservation to the Department of Health Services, Division of Environmental Quality for the Long Island Sound Study. ASSIGNED TO ENVIRONMENT, LAND ACQUISITION & PLANNING AND FINNCE & FINANCIAL SERVICES (County Executive)**

**VOTE: 4-0-0-1 APPROVED**

**CHAIRMAN BISHOP:**

1540 is authorizing planning steps for acquisition under pay-as-you-go 1/4% Taxpayer Protection Program, Lake Ronkonkoma Cenacle, Town of Brookhaven. What's Cenacle? That's the name of the parcel? Cenacle 48.5 acres.

**LEGISLATOR CRECCA:**

This is right by my district too. New glasses?

**MR. ISLES:**

Reading glasses.

**LEGISLATOR CRECCA:**

They look good. I'll recognize, even though I'm not the Vice Chairman, I'll recognize Legislator Fields for the purpose of a question.

**LEGISLATOR FISHER:**

The big building in the middle of this acquisition is?

**MR. ISLES:**

That's apparently a Seminary structure. This is a religious facility and although the parcel is 48 and a half acres, more than half the property is developed consisting of that structure and some accessory buildings and some lawn areas. The parcel does contain a kettle hole pond. It is in the overall watershed corridor of Lake Ronkonkoma. In a certain sense, it would qualify under the new Quarter Percent Program; however, we certainly wouldn't recommend the acquisition in the developed portion of the site. And in terms of a ranking, it would tend to rank in somewhere in the range of the current ranking system used by the County of maybe upwards of twenty points. Typically, twenty-five is the minimum. This is a planning steps resolution but there are certainly questions regarding --

**CHAIRMAN BISHOP:**

Is this being offered as Open Space or?

**MR. ISLES:**

Pardon me sir?

**CHAIRMAN BISHOP:**

This is Open Space?

**LEGISLATOR CRECCA:**

Quarter Percent Program.

**MR. ISLES:**

Yes, Open Space.

**LEGISLATOR FIELDS:**

What's the use --?

**LEGISLATOR CRECCA:**

Okay, you mean, which part of the Quarter Percent?

**LEGISLATOR FIELDS:**

And what's the use of the building after it's acquired?

**MR. ISLES:**

We don't know.

**LEGISLATOR CRECCA:**

Tom is there any possibility -- is this all one parcel?

**MR. ISLES:**

Yes, it is one parcel. The resolution involves the entire parcel. I can't speak for the sponsor as to whether the intention is to only buy a part of it. We certainly have concerns, however, given the fact that it is developed. The

area around the pond is cleared and it's not vegetated with any sort of indigenous vegetation, it's a lawn area. That's why it doesn't rank very high in the ranking system.

**CHAIRMAN BISHOP:**

Okay. Do we have a motion to -- I'll make a motion to table.

**LEGISLATOR FIELDS:**

I'll second the motion.

**CHAIRMAN BISHOP:**

Second by Legislator Fields. All in favor? Opposed?

**LEGISLATOR CRECCA:**

I'll abstain.

**CHAIRMAN BISHOP:**

Legislator Crecca is an abstention. Thank you.

**I.R. NO. 1540 Authorizing planning steps for the acquisition of land under pay-as-you-go 1/4% Taxpayer Protection Program. (Land of Ronkonkoma Cenacle, Town of Brookhaven) ASSIGNED TO ENVIRONMENT, LAND ACQUISITION & PLANNING (Legislator Joseph Caracappa)**

**VOTE: 3-0-1-1 TABLED**

**CHAIRMAN BISHOP:**

It will be back though because we only tabled it.

**LEGISLATOR CRECCA:**

Right, I know.

**CHAIRMAN BISHOP:**

Authorizing planning steps for acquisition of land under pay-as-you-go Quarter Cent Protection Program, land near Beaverdam Creek, Town of Brookhaven. What the heck is this?

**LEGISLATOR CRECCA:**

What are you doing in Brookhaven, Fields?

**CHAIRMAN BISHOP:**

Legislator Fields?

**LEGISLATOR FIELDS:**

Actually, I have a large map that might help a little bit if I can show it to the committee?

**CHAIRMAN BISHOP:**

That looks like their oyster bed.

**LEGISLATOR CRECCA:**

It's not by water Dave.

**LEGISLATOR FIELDS:**

If you look at it this way, this is north and this is part of an overall restoration plan. This is Beaverdam Creek and whose house?

**CHAIRMAN BISHOP:**

Crecca's.

**LEGISLATOR CRECCA:**

I second the motion.

**LEGISLATOR FIELDS:**

And this is Suffolk County Parkland over here. This is the Lowman Farm, which now has a different name. Joe, who owns the Lowman? Where we were the other day? TDR but who is the farmer there? Nolan, they call it the Nolan Farm. And there's a whole wetland restoration activity that is planned for all of this property along Beaverdam Creek along -- it's in Yaphank. The property is where there's -- here it is. This is all Suffolk County Parkland.

And along with the restoration that you're going to see on a different bill, these are canals. This would be acquired and be put on as part of the parkland and restored back to the -- this was dredge spoil and restored back to the natural --

**LEGISLATOR CRECCA:**

Can I ask a question?

**LEGISLATOR FIELDS:**

Sure.

**LEGISLATOR CRECCA:**

I'm looking at the small map along with this one. Why -- I can certainly see the parcels up in here and maybe we wanted to make those parklands. But why, there are three parcels, one, two, three of what look like land that's been sort of cleared.

**LEGISLATOR FIELDS:**

Right now --

**LEGISLATOR CRECCA:**

Why would we want to --?

**LEGISLATOR FIELDS:**

It's been subdivided and can be sold for housing.

**LEGISLATOR CRECCA:**

Right but why --



**LEGISLATOR FIELDS:**

We'd like to stop that from happening because of runoff. Because of many of the recommendations for the South Shore Estuary Reserve Comprehensive Management Plan to prevent this from doing what we've done all around and it would just be part of the parkland. It might even be -- there's a road here. That might even be a way to get into the parkland because part of the wetland restoration activities is going to be some trails and this may be a way that people can use this for educational purposes.

**CHAIRMAN BISHOP:**

Development already.

**LEGISLATOR CRECCA:**

I mean I'm not and I --

**LEGISLATOR FIELDS:**

Well they're on this side of the development.

**LEGISLATOR CRECCA:**

Legislator Fields, I'm just -- I mean certainly, I can absolutely see the value up here in this area and possibly -- but there's a parcel right here and then this is a parcel and that's a parcel. Maybe we could ask the Planning Director?

**LEGISLATOR FIELDS:**

Um-um.

**LEGISLATOR CRECCA:**

If I -- I mean how is this?

**CHAIRMAN BISHOP:**

It's right here.

**LEGISLATOR CRECCA:**

Oh, I'm sorry. What that does is it shows a lot better.

**MR. ISLES:**

Yes, this parcel actually ranked about thirty on the scale and the scale goes from zero to a hundred with twenty-five typically being the minimum. And the reason for that ranking was based upon the fact that it's located to -- adjacent to existing County owned Open Space, number one.

Number two, it's also in an area, even though disturbed and a canal and so forth but nonetheless, it does qualify for that. So there had been significant efforts towards the Beaver Dam Creek Corridor. The Planning Department completed a study about 10 years ago. And since that time, there's been both County acquisition, as well as participation by both public and other private entities. So although this doesn't rank extraordinarily high, it does meet that minimum that we typically suggest to the Legislature.

**LEGISLATOR CRECCA:**

Legislator Fields, is this -- two questions. Would you support, I mean certainly and I guess I direct this question to Mr. Scully also. There are five parcels total, it looks like. Is that correct Tom? The long skinny parcel. Is that one of the parcels for acquisition?

**MR. SCULLY:**

Yes, the answer to the question is yes, right.

**LEGISLATOR CRECCA:**

Yes, okay. Well my question is, is I did this as one of my parcels too is rather than present it all as one acquisition about a possibility of -- or Peter, I guess the question is -- where is the -- there seems to me and I defer to you to be valued in the parcel that's completely wooded, at the very least and possibly one or two of the other parcels. I was thinking about maybe possibly breaking this down for planning steps, so that we could evaluate -- or maybe we want to buy one but not all or two?

**LEGISLATOR FIELDS:**

Let me just add that as part of the next resolution, you'll see -- we've spoken to Tom Isles and Peter about it. There is a plan to do some wetland restoration. And as part of that plan, what they do is take off the dredge spoil, which -- and bring it back with native plantings to what the rest of this looks like? So even though it looks affected, as part of the Long Island Wetland Restoration Initiative, their plan is to do wetland restoration on that parcel along with the undisturbed area. So even though it looks disturbed now, the plan would be to make it more natural and mitigate what has been damaged and degraded by dredge spoil. So it's not that we're just -- that I would like to see this purchased just to buy it and add it. There is a plan and it's a long term plan on wetland restoration and --

**CHAIRMAN BISHOP:**

The ones that are further back from the canal, right? There is one that's further back from the canal, the long skinny one?

**LEGISLATOR FIELDS:**

Well that's part of a roadway, I guess.

**CHAIRMAN BISHOP:**

That would be significantly --

**LEGISLATOR FIELDS:**

That would be important to purchase, so that you don't have access to the other parcels. People can't drive in there. In other words, if you don't buy the first two, then people are going to drive in there and they'll have access to do further damage or -- I would rather see them not develop any of this and bring it back into more of a natural state.

**CHAIRMAN BISHOP:**

I know but they're -- I tend to agree with -- I mean, I see the logical value of two of these parcels and I don't see it on two. And then one has to be split

because that's the roadway that runs the whole length. But this is planning steps only. So are we -- we anticipate this being done with dual appraisals? Should we approve the -- and that would still be the case, even if we parceled off two of these? If it's dual appraisals anyway then, you know, it's planning steps, then it doesn't matter. We can move forward on all five and then have this debate later on.

**LEGISLATOR CRECCA:**

Will the parcels be appraised individually? I guess that's the question I have.

**MR. ISLES:**

But I would be the appraisal assignment. We would typically do an overall appraisal. We could certainly instruct the appraiser to break it out into individual parcels. We could do that as part of the appraisal assignment. Anything above three hundred thousand dollars requires two appraisals under the new procedures.

**CHAIRMAN BISHOP:**

And if we -- but my question is if Legislator Crecca and myself and perhaps Legislator Cooper, I don't know, felt that only the right half of the photograph was worth pursuing, then would that bring it under three hundred thousand dollars? No, so it doesn't matter. So we should --

**MR. ISLES:**

Probably not, right.

**CHAIRMAN BISHOP:**

I'd like to approve it in its current state.

**LEGISLATOR CRECCA:**

Well, I asked the Commissioner to do this.

**CHAIRMAN BISHOP:**

I would get the individual appraisal, so that we'll have it for each parcel. And we can take this up at a later time.

**MR. SCULLY:**

Mr. Chairman, if I could? Just to ask that somebody take a look at it? There may be a typographical error with respect to the lot number on lot number three. The tax map, which seemed to indicate that's block four, lot one and not block four, lot ten. If you could just check and make sure that it's accurate?

**MR. ISLES:**

I would just like to clarify. We'd probably wouldn't get separate appraisals on each piece. We would probably have that reflected in the appraisal assignment.

**CHAIRMAN BISHOP:**

Yes. Somewhere we can --

**LEGISLATOR CRECCA:**

Would we be authorized then, let's say we went through planning steps and the committee decided it and the Legislature decided that they only wanted to acquire part of the property? We would be able, within our right, to do that and instruct you that at that time, based on the one appraisal of all the properties broken down?

**MR. ISLES:**

Right, we would come back to you to seek an authorization, if this proceeds. Advise you of the negotiations, if you want that information. And as you've already instructed us, we would then be prepared to segment out this, if you want it. We'll do that.

**LEGISLATOR CRECCA:**

On that representation, I'd be -- is it -- you have the Legislator's support whose district this is in, on this bill?

**LEGISLATOR FIELDS:**

Yes. Tom, do you see the benefit of acquiring them and for storing them? Or do you think that it's not worthy in just one of the parcels?

**MR. ISLES:**

Preliminary speaking, I have not been to this site nor has my staff recently. But we think that this is a candidate for an acquisition of restoration consistent with the Water Quality Protection Program. Part of the procedure in doing the planning steps, so we can do more homework, get a better handle on it. But we think it certainly warrants consideration.

**LEGISLATOR CRECCA:**

I'll second the motion by Legislator Fields.

**CHAIRMAN BISHOP:**

We need to learn more but we're willing to approve it.

**LEGISLATOR FIELDS:**

Okay, thank you.

**CHAIRMAN BISHOP:**

Continue the process.

**LEGISLATOR FIELDS:**

So I'll make a motion to approve.

**CHAIRMAN BISHOP:**

Motion to approve by Legislator Fields, second by myself. All in favor? Opposed? 1555 is approved.

**I.R. NO. 1555 Authorizing planning steps for the acquisition of land under pay-as-you-go 1/4% Taxpayer Protection Program. (Land**

**near Beaverdam Creek, Town of Brookhaven) ASSIGNED TO**  
**ENVIRONMENT, LAND ACQUISITION & PLANNING (*Legislator Ginny***  
***Fields*)**

**VOTE: 4-0-0-1 APPROVED**

**CHAIRMAN BISHOP:**

1456, which I guess further up the stream? Is that correct?

**MR. ISLES:**

Yes.

**CHAIRMAN BISHOP:**

1556 implementing pay-as-you-go 1/4% Protection Plan for Water Quality Protection and Restoration Program for Pilot Project at Beaverdam Creek. You're going back there?

**LEGISLATOR FIELDS:**

Yes.

**CHAIRMAN BISHOP:**

Going back, okay.

**LEGISLATOR FIELDS:**

This is County Parkland. You were looking at this. So now this is the area that we're talking about. This is Beaverdam Creek. About six years ago, I worked on a wetland restoration over here with Cornell and U.S. Fish and Wildlife and others. It looked a little different than here. There's a berm that goes all the way around here. And they used to take the dredge spoil and dump it in and you can see high areas where they put the dredge spoil. This plan would be to take some of that dredge spoil out of there and bring it back to a more natural contour. It helps the finfish. It helps the waterfowl in the area. Right now, it would help with storm surge and filtration. The way it is now, you don't have that. It hits the berm and then it can't filter out.

**CHAIRMAN BISHOP:**

What's the --

**LEGISLATOR FIELDS:**

The plan is to do wetland restoration and put some nature trails in here for the County. This is County Parkland.

**CHAIRMAN BISHOP:**

Right. What's the price of the leveling of the dredge spoil sites?

**LEGISLATOR FIELDS:**

I don't think we have it broken down. It's eighty five thousand total.

**CHAIRMAN BISHOP:**

Okay.

**LEGISLATOR FIELDS:**

And they will be doing -- they're going to start at the tip and then they're going to work up.

**CHAIRMAN BISHOP:**

Motion by Legislator Fields, second by myself. All in favor? Opposed?

**I.R. NO. 1556 Implementing pay-as-you-go 1/4% Taxpayer Protection Plan for Water Quality Protection and Restoration Program for Pilot Project at Beaverdam Creek. (Brookhaven Hamlet)**  
**ASSIGNED TO ENVIRONMENT, LAND ACQUISITION & PLANNING**  
***(Legislator Fred Towle)***

**VOTE: 4-0-0-1 APPROVED**

**CHAIRMAN BISHOP:**

Okay, 1557 is designating Clean Water Act Day in Suffolk County. Wow, it's about time. Tell us about Clean Water Act Day.

**LEGISLATOR FIELDS:**

It would be designating one day.

**MR. SABATINO:**

It's October 18th. It's the 30th anniversary of the enactment of the Federal Clean Water Act.

**CHAIRMAN BISHOP:**

And we need a law for that?

**LEGISLATOR FIELDS:**

It's not a law; it would just be the same as designating --

**CHAIRMAN BISHOP:**

We don't do it by Sense Resolution? We do it by resolution?

**MR. SABATINO:**

All the days we've been designating weeks and months, there has been resolutions.

**CHAIRMAN BISHOP:**

All right, okay. Motion by Legislator Fields, second by myself. All in favor? Opposed? It's approved.

**I.R. NO. 1557 Designating Clean Water Act Day in Suffolk County.**  
**ASSIGNED TO ENVIRONMENT, LAND ACQUISITION & PLANNING**  
***(Legislator Ginny Fields)***

**VOTE: 4-0-0-1 APPROVED**



**CHAIRMAN BISHOP:**

You're done? You have anything more? Anything in Speonk you want to preserve? So we've done the CEQ Resolutions. Now we go to the to the Tabled Prime Resolutions 1001 is appropriating Greenways infrastructure improvement fund grant for Miller Place. I assume this still needs to be tabled. I've head from the sponsor. Motion to table by myself, second by Legislator Crecca. All in favor? Opposed?

**TABLED PRIME:**

**I.R. NO. 1001 Approving Greenways infrastructure improvements fund grant for Miller Place property in Town of Brookhaven. ASSIGNED TO ENVIRONMENT, LAND ACQUISITION & PLANNING (Legislator Martin Haley)**

**VOTE: 4-0-0-1 TABLED**

**CHAIRMAN BISHOP:**

1002 is approving acquisition under the Suffolk County Land Partnership Preservation Program of Ridgehaven Estates.

**MR. SABATINO:**

You'll need the Town Resolution.

**CHAIRMAN BISHOP:**

Motion by myself, second by Legislator Fields to table. 1002 is tabled.

**I.R. NO. 1002 Approving acquisition under Suffolk County Land Preservation Partnership Program (Ridgehaven Estates) Town of Brookhaven. ASSIGNED TO ENVIRONMENT, LAND ACQUISITION & PLANNING (Legislator Martin Haley)**

**VOTE: 4-0-0-1 TABLED**

**CHAIRMAN BISHOP:**

1055 approving acquisition under Suffolk County Multifaceted Land Preservation Program, Stage II active parklands, property in Ridge.

**MR. SABATINO:**

We need resolutions from two organizations on this one.

**CHAIRMAN BISHOP:**

Motion to table by myself, second by Legislator Crecca. All in favor? Opposed? 1055 is tabled.

**I.R. NO. 1055 Approving acquisition under Suffolk County Multifaceted Land Preservation Program for State II Active Parklands (property in Ridge) Town of Brookhaven. ASSIGNED TO ENVIRONMENT, LAND ACQUISITION & PLANNING (Legislator Martin**

**Haley)**

**VOTE: 4-0-0-1 TABLED**

**CHAIRMAN BISHOP:**

1149 is implementing Greenways Program in connection with the acquisition of farmland development rights in Yaphank, Legislator Towle.

**MR. ISLES:**

Which one do you have?

**MR. SABATINO:**

This is the one that's gone back and forth with corrected copies. So at the last committee, a request was made to go back to 100 percent County funding and I just want to be --

**CHAIRMAN BISHOP:**

Listed 100 percent County funding? Usually we're requesting that we go to the 70 percent program. It would be out of character.

**MR. SABATINO:**

Right, Legislator Towle initially converted it to 100 percent County funding. Then this committee said go back to the 70 percent, which is where it originally started. And just checking to confirm if we actually completed that.

**CHAIRMAN BISHOP:**

Okay.

**MR. ISLES:**

Mr. Burke points out that this was approved for acquisition under the Omnibus Farm PDR Program. So we do have authorization by 100 percent of this already. As far as, if you want the Town to participate, then we would need authorization under this resolution.

**LEGISLATOR CRECCA:**

Yes but the current bill that is before is for the 100 percent?

**MR. ISLES:**

Oh no, it's 70,30.

**MR. SABATINO:**

We're back to the 70 percent but we don't have the Town Board Resolution. That's where we are.

**CHAIRMAN BISHOP:**

Okay.

**LEGISLATOR CRECCA:**

Where's the sponsor?

**CHAIRMAN BISHOP:**

Do we need the Town Board Resolution before we approve our resolution?

**LEGISLATOR CRECCA:**

We don't have a resolution.

**CHAIRMAN BISHOP:**

Greenways?

**MR. ISLES:**

Yes.

**CHAIRMAN BISHOP:**

And this is Greenways.

**MR. ISLES:**

Right.

**CHAIRMAN BISHOP:**

Okay, so we need a motion to table by myself, second by Legislator Fields. All in favor? Opposed? 1149 is tabled.

**I.R. NO. 1149 Implementing Greenways Program in connection with acquisition of farmland development rights at Yaphank. (Town of Brookhaven) ASSIGNED TO ENVIRONMENT, LAND ACQUISITION & PLANNING (Legislator Fred Towle)**

**VOTE: 4-0-0-1 TABLED**

**CHAIRMAN BISHOP:**

1169 is implementing Suffolk County Water Quality Protection and Restoration Program. Legislator Fields, you had a meeting? Would you tell us what the outcome of said meeting was?

**LEGISLATOR FIELDS:**

The outcome of the meeting was that DPW is going to go back and give us more of a plan on what it intends to do, so that we would all feel more comfortable with it. I think it was an excellent meeting and I look forward to their --

**CHAIRMAN BISHOP:**

Do you have any idea when we're going to get this plan?

**LEGISLATOR FIELDS:**

I believe soon. Vito, did you remember what they said?

**CHAIRMAN BISHOP:**

Oh, okay.

**LEGISLATOR FIELDS:**

So I would ask that you table this because it is in progress.

**CHAIRMAN BISHOP:**

We will e-mail the Commissioner that we expect that presentation at the next meeting.

**MR. ISLES:**

Yes, I think that would also tie into 1556, the Beaverdam project, which does put planning in charge of the administration of that. And I've discussed this with the sponsor that once the new program of 1169 comes through, then maybe whatever department is charged with the responsibility for implementing this within take that role until it's settled.

**CHAIRMAN BISHOP:**

Afraid to administer it?

**MR. ISLES:**

Not necessarily. We're not afraid. We're just not staffed up to do contract management.

**CHAIRMAN BISHOP:**

1169 motion to table by Legislator Fields, second by Legislator Cooper. All in favor? Opposed? 1169 is tabled until the next meeting.

**I.R. NO. 1169 Implementing Suffolk County Water Quality Protection and Restoration Program. (ASSIGNED TO ENVIRONMENT, LAND ACQUISITION & PLANNING (County Executive))**

**VOTE: 4-0-0-1 TABLED**

**CHAIRMAN BISHOP:**

1173 is through 1241 are the -- no, forget it. Never mind. 1173 is the reappointment of William Cremers as a member of the Planning Commission in Southold. Why don't we table this? This has been tabled previously three times. Motion to table subject to call by Legislator Fields. These people I assume are serving as holdovers. That's how that's being resolved? They're just hanging out? All right, motion by Legislator Fields, second by myself to table subject to call. All in favor? Opposed?

**LEGISLATOR CRECCA:**

Opposed.

**CHAIRMAN BISHOP:**

1173 is tabled subject to call.

**I.R. NO. 1173 Approving the reappointment of William Cremers as a member of the Suffolk County Planning Commission, representing the Town of Southold. ASSIGNED TO ENVIRONMENT, LAND ACQUISITION & PLANNING (County Executive)**

**VOTE: 3-1-0-1 TABLED SUBJECT TO CALL**

**CHAIRMAN BISHOP:**

1175 is a reappointment of Frank Tantone as a member of the Suffolk County Planning Commission. Motion by Legislator Fields to table subject to call, second by myself. All in favor? Opposed? 1175 is tabled subject to call.

**LEGISLATOR CRECCA:**

Opposed.

**CHAIRMAN BISHOP:**

Note the opposition of Legislator Crecca.

**I.R. NO. 1175 Approving the reappointment of Frank A. Tantone as a member of the Suffolk County Planning Commission, representing the Town of Islip. ASSIGNED TO ENVIRONMENT, LAND ACQUISITION & PLANNING (County Executive)**

**VOTE: 3-1-0-1 TABLED SUBJECT TO CALL**

**CHAIRMAN BISHOP:**

1241 is amending the 2002 Operating Budget and restoring 50 percent funding for the Cornell Cooperative Extension Marine Program. I assume that this is here by mistake, as this was done previously and we should be secondary. Maybe I'm wrong. I'm going to find out.

**LEGISLATOR CRECCA:**

This came out of Budget.

**MR. SABATINO:**

Yes what happened was 1241 was primary in Budget. It was secondary in this committee.

**CHAIRMAN BISHOP:**

Motion to table subject to call by myself, seconded by Legislator Fields. All in favor? Opposed?

**I.R. NO. 1241 Amending the 2002 Operating Budget and restoring fifty percent of the funding for Cornell Cooperative Extension's Marine Science Program. ASSIGNED TO ENVIRONMENT, LAND ACQUISITION & PLANNING (Legislator Michael Caracciolo)**

**VOTE: 4-0-0-1 TABLED SUBJECT TO CALL**

**CHAIRMAN BISHOP:**

1358 is approving modifications of Agricultural District Number 3 in the Town of Babylon, Brookhaven, Huntington, Islip, Smithtown, subject to the required subsequent approvals of the State of New York. Explanation please?

**MR. SABATINO:**

This is the legislation that we had a public hearing on at the last session. And

what this would do is it would terminate a district number 2 and it would basically consolidate some parcels that the Planning Department apparently, inadvertently left out when we formed the district in 1998. And this is really to try to correct a modification that was made back then.

**CHAIRMAN BISHOP:**

Motion to approve by myself, second by Legislator Cooper. All in favor? Opposed? 1358 is approved.

**I.R. NO. 1358 Approving the modification of Agricultural District No. 3 in the Town of Babylon, Brookhaven, Huntington, Islip and Smithtown, subject to the required subsequent approvals of the State of New York. ASSIGNED TO ENVIRONMENT, LAND ACQUISITION & PLANNING (Presiding Officer Paul Tonna)**

**VOTE: 4-0-0-1 APPROVED**

**CHAIRMAN BISHOP:**

1412, as we've done 1409 is Charter Law adding Article XXXVII which is 37 to the Suffolk County Charter to provide a Suffolk County Save Open Space Fund. Does this have to be tabled for public hearing?

**MR. SABATINO:**

The public hearing was closed on April 30th.

**CHAIRMAN BISHOP:**

Is there a motion? Motion to approve by Legislator Fields. Is there a second? Second by Legislator Cooper.

**LEGISLATOR CRECCA:**

On the motion?

**CHAIRMAN BISHOP:**

On the motion, Legislator Crecca.

**LEGISLATOR CRECCA:**

Can I get an explanation of how this changes the -- obviously, you know -- I know there's a lot of changes here. But maybe a summary of --

**MR. SABATINO:**

This proposes a brand new source of funding for Open Space and Farmland acquisition. It would be thirty million dollars for Open Space and it would be sixteen million -- not Farmland, I'm sorry. It would be sixteen million for active Parkland. So it would be thirty million for Open Space and sixteen million for active Parkland. It would be a brand new program. It would be bonding. It would be a public referendum and this would be separate and apart from the existing Greenways Program and the Quarter Percent Program.

**LEGISLATOR CRECCA:**



How much of those programs now costing us? The other programs? Not this one. I realize this one is forty six million additional that we'd be borrowing under this program?

**MR. SABATINO:**

This would be forty six million dollars above and beyond where we are.

**LEGISLATOR CRECCA:**

Where are we now? If anybody can answer that? Maybe Tom?

**MR. SABATINO:**

There's sixty two million dollars authorized under Greenways. I have the Charter on my desk. But I think we used up fifteen of the Open Space, eleven of the Parkland. I think it was nine or eleven of the Farmland plus whatever is in the pipeline. Then on the Quarter Percent Program, we've authorized the EFC financing of forty one million Open Space and twenty one million for Farmland. That would draw down the Quarter Percent Program for the next thirteen years.

The problem, not the problem but the issue that arose two meetings ago is that when we reauthorized the acquisition of the leftover parcels in the Pine Barrens that's a figure of someplace between thirty and seventy million dollars depending on what you openly go out to acquire. And that program is now going to be funded from the Quarter Percent Program, which has forty one million dollars available for Open Space. So if you take forty one million dollars that you've got out there and then look at everything that's in the pipeline? Every meeting, we pass acquisitions and then you add in the thirty or the seventy million dollars from the reauthorization plus what we've appropriated in the past year or so, which I think is another six or eight million dollars. You've got to reconcile the acquisitions with the funding.

**LEGISLATOR CRECCA:**

Were you saying -- but all these potential acquisitions are the ones we've authorized? We won't close on all those. I mean, obviously, there are sellers out there who won't sell to us.

**LEGISLATOR FIELDS:**

Are we oversubscribed?

**MR. ISLES:**

On which program?

**LEGISLATOR FIELDS:**

On any of them.

**MR. ISLES:**

I believe the Real Estate Division sent out a report on the current balances as of March 31st. And in terms of the Greenways Open Space Program at that time March 31st, we had about four point three million dollars. Greenways Parkland the active rec., which was eight point three million and Farmland was ten million. We have a number of parcels either in contract or recently

closed in putting one active rec. And so we figure in terms of the -- if those negotiations that we currently have ongoing occur, where a slight deficit in Open Space were at about minus six hundred thousand? Here again, not all these deals are going to happen. We'd love to see them happen but that doesn't happen. But if they were to that would be the amount. On Greenways Parkland, active Parkland, we have deals that currently total about eleven and a half million dollars, so that would overspend by about three million. Here again, not all these deals are going to happen. And then Parkland, Farmland, pardon me, we have deals pending for about seven point seven million dollars. Not all those deals will happen but that's the current status of Greenways.

**LEGISLATOR FIELDS:**

And what happens with the Omnibus that we just passed, if we were to buy the Pine Barrens? How much money would we have left?

**MR. ISLES:**

The authorization provided for the Pine Barrens approved does require specific appropriations from the Legislature. We will be coming to you, based on our conversations that the Director of Real Estate made at the Legislative Meeting two weeks ago, two meetings ago for an appropriation. We will be seeking a sum, probably in the range of six million dollars, which will include Pine Barrens Core Lots that we have ready to go and purchase, we're anxious to do that. As well as some parcels that are outside of the Pine Barrens Core but are still within the Quarter Percent Program. So we're anticipating pulling down, requesting six point six million dollars approximately for that.

As far as your question, in terms of the Pine Barrens? Here again, we estimate that there are about thirty two hundred acres left. We certainly don't anticipate the County is going to buy all of those. Although, we have heard and there was prior testimony at this committee from the State of New York and their ongoing participation in this. There are also, obviously, other aspects of the Pine Barrens Core where transfer development rights can occur and so forth. So in terms of how much will the County eventually spend, it's hard to say. If one were to guess, as Counsel to the Legislature has indicated, maybe it's upwards of seventy million but that's an educated guess. What portion of that would ultimately be to the County is hard to say at this time. But we're requesting, in the near future, approximately six and a half million dollars.

**LEGISLATOR CRECCA:**

Didn't we just borrow sixty-two or sixty three million dollars also that's available for us?

**MR. ISLES:**

Yes, under the new Quarter Percent, the Legislature did authorize an application to the Environmental Facilities Corporation. That application we preliminary listed last summer and we've subsequently filed the application formerly with the State of New York. We anticipate, we were advised recently actually by the EFC, Environmental Facilities Corp., that we will

potentially be able to start drawing on that money in October, if all goes well. So that will then make available, as Counsel indicated, sixty two million dollars. Twenty-one for Farm and forty-one for Open Space.

**LEGISLATOR CRECCA:**

Wouldn't you say with that new ability to borrow that sixty two million that the Legislature approved? That would give us more than sufficient funds to move forward on everything in the pike. I mean that's even assuming that we could close on everything in the pike and that, which we all know, is not realistic?

**MR. ISLES:**

So that really begs the question of what is the rate and the -- we're gearing up and we've got a number of deals, as I just explained to you that are now pending. And I'm very pleased to see that the new Director and the Assistant Director are doing great efforts to get our Acquisition Program moving as quickly as possible. As far as the rate of spending and at the present time, we have sufficient funds, in general, to cover what we expect will be our upcoming acquisition, at least during the summer months. And here again, doing acquisitions at a rate that this County has been known for, in terms of figures in the range of forty million dollars a year and perhaps even higher. As far as beyond that in the fall months, we do expect EFC money coming in. That will be made available to us basically, for a number of years, upwards of the Year 2013. I don't think it's going to take us that long to spend it, obviously.

**LEGISLATOR FIELDS:**

Will it be here?

**MR. ISLES:**

The intent of the Legislature was to, I believe, to enable us to accelerate acquisitions using the favorable financing rate provided by the EFC.

**CHAIRMAN BISHOP:**

You're determined to keep us here until 5 o'clock. I'm sorry. But I want to state that, I believe Legislator Fisher is definitely on the right track. And this is an important resolution; however, I'm going to make a motion to table for - - until the next meeting. I think that first; we should get the program in order. And we need to address the issue of the reform bill and how we're going to acquire property before we have an authorization for tens of millions of dollars of additional spending. Once we tighten up the process, you know, restore confidence, get the program back and running, then we should immediately revisit Legislator Fisher's proposal, which I think is an excellent one.

**LEGISLATOR FIELDS:**

But this also asks the voters if they agree.

**CHAIRMAN BISHOP:**

Right. What is the timetable Counsel? When is the last time that we can

pass a resolution that would be eligible for referendum this year?

**MR. SABATINO:**

To be absolutely certain that all the processes go through, you should really adopt it at the end of June. If the County Executive is on board with an expedited process, where all of the time periods aren't going to be taking, you could pass it at the first meeting in August.

**CHAIRMAN BISHOP:**

Okay. So we have at least one, if not two more meetings?

**MR. SABATINO:**

Two meetings in June, right.

**CHAIRMAN BISHOP:**

So then I, again, renew my motion to table.

**LEGISLATOR CRECCA:**

Does Budget Review prepare a fiscal impact statement? I see there is some references to the cost inside?

**MR. DUFFY:**

We did.

**LEGISLATOR CRECCA:**

You did? Okay.

**CHAIRMAN BISHOP:**

Okay, so we'll --

**LEGISLATOR FIELDS:**

Are we going to be ready to look at this in another meeting?

**CHAIRMAN BISHOP:**

Yes and we're going to invite Legislator Fisher. We'll invite the environmental community, if they wish to make public comments. And we expect that the folks before us will have a position from the County Executive at that time. So motion to table by myself, second by Legislator Cooper. All in favor? Opposed? Legislator Fields is opposed.

**I.R.NO. 1412 Adopting Local Law No. Year 2002, a Charter Law adding Article XXXVII to the Suffolk County Charter to provide a Suffolk County Save Open Space Fund. (SOS) (Legislator Vivian Fisher)**

**VOTE: 3-1-0-1 TABLED**

1419 is authorizing planning steps for the acquisition of land under the pay-as-you-go Taxpayer Protection Program, land known as Bluepoints Property. Didn't we do this previously? Oh, this is the underwater land. Motion to

table by Legislator Fields, second by myself, 1419 is tabled.

**I.R. NO. 1419 Authorizing Planning Steps for the acquisition of land under Pay-As-You-Go 1/4% Taxpayer Protection Program. (Land known as Bluepoints Company Property - Underwater Lands, Town of Brookhaven) (Legislator Ginny Fields)**

**VOTE: 4-0-0-1 TABLED**

**CHAIRMAN BISHOP:**

1422 is a Local Law to require verbatim minutes for the Suffolk County Council on Environmental Quality. Motion by Legislator Fields, second by myself enthusiastically. All in favor? Opposed? 1422 is approved.

**I.R. NO. 1422 Adopting Local Law No. 2002, A Local Law to require verbatim minutes for Suffolk County Council on Environmental Quality. (CEQ) (Legislator Ginny Fields)**

**VOTE: 4-0-0-1 APPROVED**

**CHAIRMAN BISHOP:**

I'm sorry.

**LEGISLATOR CRECCA:**

Just no, I just had a question. What was the impetus behind the bill?

**CHAIRMAN BISHOP:**

I don't know what the impetus was then. But certainly, after today's presentation, I think it's called for. The point today was a lot goes on during the process, where by the time we get their rulings or their recommendations, there's been significant modifications of the original proposal. And I feel that minutes would reveal that.

**LEGISLATOR FIELDS:**

Not only that.

**CHAIRMAN BISHOP:**

It's something that's important that we don't receive now.

**LEGISLATOR FIELDS:**

During one of the recent meetings, there was some testimony that when it came out in the minutes, was not exactly what everyone else in the CEQ Meeting heard.

**LEGISLATOR CRECCA:**

Is CEQ in favor of this bill?

**LEGISLATOR FIELDS:**

Yes, she just said it when she spoke before.

**LEGISLATOR CRECCA:**

Okay I didn't hear that.

**MR. ISLES:**

The only point I wanted to make, just from a staffing standpoint, is we don't currently have staff. When this came up with the Planning Commission, you provided services of the Legislative Clerk's Office, which has been excellent, by the way. So just so you know, in CEQ, we don't have current budget for verbatim minutes. If it could be provided from the outside, then no problem but --

**LEGISLATOR FIELDS:**

They're being provided, I asked Henry Barton before I put the bill in.

**MR. ISLES:**

Thank you.

**LEGISLATOR CRECCA:**

We have sufficient staff and money to do that?

**CHAIRMAN BISHOP:**

We've got all those people from Smithtown on the payroll.

**LEGISLATOR CRECCA:**

Is there a lot of people from Smithtown there? I didn't know that. Because we type faster in Smithtown. Can we -- but we should just address this. That it's next year's Budget? That it's not coming out of the Legislature. That there's adequate funding provided. No, I'm talking about next year, next year's Operating Budget.

**CHAIRMAN BISHOP:**

1450 is the ban of mass balloons, mass release of balloons. I make a motion to table for one meeting. The manufacturer's umbrella organization has requested a tabling for one meeting. They said they will come to the next meeting. They have additional information they're eager to present.

**LEGISLATOR CRECCA:**

I would oppose that. I mean, for the simple reason that you've got -- we had a public -- this was here in committee?

**CHAIRMAN BISHOP:**

Is there an emergency?

**LEGISLATOR CRECCA:**

No there's no emergency but we had a public --

**CHAIRMAN BISHOP:**

Can I just get this passed?

**LEGISLATOR CRECCA:**



We had a public hearing that was on it. We published it. Now it's before us. Now it's going to be back for another meeting in the Legislature. I just -- I mean, they've had more than adequate opportunity. It's obvious what their interest is. They don't want this passed. I mean there were people there who testified from the Balloon Industry. They did, they testified at the public hearing.

**CHAIRMAN BISHOP:**

I think that we'll all survive the two-week delay. Motion by myself to table, second by Legislator Cooper. Opposed Legislator Crecca. It's tabled. And we'll assume we're going to have them at the next meeting. If they're not here, we'll approve the bill most likely.

**I.R. NO. 1450 Adopting Local Law No. 2002, a Local Law to ban mass release of balloons within the County of Suffolk.**

**VOTE: 3-1-0-1 TABLED**

**CHAIRMAN BISHOP:**

All right. Oh, there's one other item on a motion tabled subject to call calendar. There is an item 1451. Counsel 1451, I'm informed has been modified pursuant to the recommendation of this committee. That's 1451, authorizing planning steps for implementing Greenways Program in connection with acquisition of Open Space at Pondview Estates in Middle Island.

**MR. SABATINO:**

That's correct. On May 1st, at the request of this committee, the bill was changed from Greenways to Multifaceted Land Preservation under the Open Space component of that program.

**CHAIRMAN BISHOP:**

Mr. Isles, you must have a view on this?

**MR. ISLES:**

Well, as we reported at the last discussion, the parcel does contain a wetlands, a pond area. It is the subject of a subdivision application; however, in our ranking it didn't rank too high. It was in the 15 to 20 range based on the fact that it's essentially an isolated location, meaning that it's not adjacent to other County Open Space under other criteria. I think what was suggested by the committee at the last meeting would that be as a partnership with the Town of Brookhaven. That would bring in a few extra points on the rating system.

**CHAIRMAN BISHOP:**

Is that what we moved it to? That's not a part -- is that a --

**MR. ISLES:**

Under multifaceted, I believe, yes.



**MR. SCULLY:**

I could just add Mr. Chairman? Based on my experience as the former Chairman of the Town of Brookhaven Conservation Advisory Council that there is a Town Nature Preserve across Miller Place, Middle Island Road from this parcel, which isn't directly adjacent. It's separated by a roadway, which contains a premiere archeological site, one of the --

**CHAIRMAN BISHOP:**

Go ahead, it's not on. The fund that it was moved to is 100 percent County fund, correct?

**MR. SABATINO:**

Right that was not moved to the Partnership.

**CHAIRMAN BISHOP:**

But that was our direction to move it there, correct? I mean is that right?

**MR. SABATINO:**

Well that's not the direction I got. The direction I got was to move it to Open Space under Multifaceted from Greenways.

**CHAIRMAN BISHOP:**

That's what I'm saying. That's what we said, okay. I'll make a motion to approve.

**LEGISLATOR CRECCA:**

Planning steps only.

**CHAIRMAN BISHOP:**

Planning steps only, second by Legislator Fields. All in favor? Opposed?

**I.R. NO. 1451 Authorizing planning steps for implementing Greenways Program in connection with acquisition of Open Space at Pondview Estates, Middle Island. (Town of Brookhaven) (Legislator Martin Haley)**

**VOTE: 4-0-0-1 APPROVED**

**LEGISLATOR CRECCA:**

Mr. Isles before we take the vote? Mr. Isles, I think, I have something to add given the opportunity? I'm sorry.

**CHAIRMAN BISHOP:**

Okay that's approved.

**LEGISLATOR CRECCA:**

I apologize.

**CHAIRMAN BISHOP:**

Yes. Before we adjourn Mr. Isles? Right.

**MR. ISLES:**

Resolutions that are tabled subject to call. Both of those are resolutions sponsored by Legislator Caracappa to deal with 1185 and 1298. You had asked me to advise Mr. Caracappa of some concerns. They basically ranked very low on the ranking system. I want to just inform you that I did receive a telephone message back from his office, indicating that he is requesting that they be -- there was, I guess, a question as to what they would be purchased under -- under Multifaceted. And he is -- basically, wanted to make it clear that he's requesting under the Open Space portion of that Program. I'm not sure if that really makes much of a difference from the planning standpoint. 1185 is a two acre disturbed parcel on Hawkins Avenue in Lake Ronkonkoma. It didn't have any point value, in terms of our ranking. No wetlands or habitat of significance and so forth. But here again, just so you're aware that the sponsor has indicated that information.

And then 1298, the Corso/Lutz parcel also ranked very low due to the fact that there's no other Open Space. This is in the vicinity of the Ronkonkoma Train Station. I believe it's a parcel that the subject of a change is on an application in Brookhaven for apartments. And here, again, just strictly from an Open Space evaluation standpoint, it's not an SGPA. It's not wetlands and so forth, so it didn't rank high. But I wanted to transmit to you the message from the sponsor and his desire to see the acquisition move forward based on an Open Space criteria of the Multifaceted Program.

**CHAIRMAN BISHOP:**

Thank you. Do we have a motion to adjourn? Motion to adjourn by Legislator Fields, second by myself. We stand adjourned.

***(The meeting was adjourned at 4:05 P.M.)***